

**TEMPORARY**

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No. 69094-T

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 21 2002

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed SEP 29 1978 under 35782

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The applicant **Somerset Development Company Ltd.**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Claims 221/222, 243, and 247** of the **Truckee River Decree**, said Decree entered by the **District Court of the United States for Nevada** in that certain action entitled, **"The United States of America, Plaintiff vs. Orr Water Ditch Company, et al., Defendants"**, in **Equity Docket A-3**. **Claims 243 and 247** had point of diversion changed by **Permit 11489, Certificate 4827**.

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1. The source of water is **the Truckee River**.
2. The amount of water to be changed **Claim 221/222 – 0.52 acre-feet, Claim 243 – 3.69 acre-feet, Claim 247 – 1.28 acre feet along with a pro-rata share of the diversion rate**.
3. The water to be used for **as Decreed**.
4. The water heretofore permitted for **as Decreed**.
5. The water is to be diverted at the following point **within the SW¼ of the SW¼ of Sec. 14, T19N, R18E, MDB&M from which the SW corner of said Section 14 bears South 58°30' West a distance of 1400 feet. Map filed with permit #35752**.
6. The existing permitted point of diversion is located within **See Exhibit "C"**
7. Proposed place of use **Portions of the following sections: S½ of Sec. 1, Sec. 2, Sec. 3, Sec. 10, Sec. 11, Sec. 12 and N½ of NE¼ of Sec. 13, T19N, R18E, MDBM and the SE¼ of the SE¼ Sec. 35, T20N, R18E, MDBM. See the map associated with change application number 66535**.
8. Existing place of use **Claim 221/222 – 0.16 acres in the SE¼ NW¼ of Section 5, T18N, R20E, MDB&M, TR map 028 Parcel number 164-265-11. Claim 243 – 0.82 acres in the SE¼ SW¼ of Section 14, T19N, R19E MDB&M, TR map 112 Parcel number 014-160-07. Claim 247 – 0.32 acres in the NE¼ NW¼ of Section 23, T19N, R19E MDB&M, TR map 113 Parcel numbers 019-021-33 (0.21 acres) and 019-022-07 (0.11 acres)**.
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted by existing motor pump, still well system and pipeline to place of use**.
12. Estimated cost of works **Completed**.
13. Estimated time required to construct works **Completed**.
14. Estimated time required to complete the application of water to beneficial use **1 year**.

15. Remarks: For use in irrigation of golf course and landscaping.

By s/Mary C. June  
Mary C. June  
P.O. Box 10100  
Reno, NV 89520-0024

Compared cmf/ cac lb/ sam

Protested

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 221/222 and Permit 11489, Certificate 4827, which changed the point of diversion of Claims 243 and 247 of the Truckee River Decree, is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

Temporary permit 69094-T is limited to the irrigation of 1.30 acres within the described place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **March 20, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.040 cubic feet per second, but not to exceed 5.49 acre-feet as decreed and not to exceed a yearly duty of 4.5 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 21st day of March, A.D. 2003

  
State Engineer

**EXPIRED**  
**DATE** MAR 20 2004 DR

## Exhibit "C"

Lake Ditch Claim 221/222

The NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 19, T 19N, R 19E, MDB& M, or at a point from which the Northwest corner of Section 20, T 19N, R 19E, MDB& M bears South  $88^{\circ} 05'$  East a distance of 2,620 feet. Per Orr Ditch Decree.

Southside Canal (changed to Lake Ditch by Permit No. 11489, Certificate No. 4827) Claims: 243 and 247Lake Ditch:

The NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 19, T 19N, R 19E, MDB& M, or at a point from which the Northwest corner of Section 20, T 19N, R 19E, MDB& M bears South  $88^{\circ} 05'$  East a distance of 2,620 feet. Lake Ditch per Orr Ditch Decree.